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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/238,163	01/28/1999	HIROSHI SUMIYAMA	032567-002	6659

21839            7590            08/19/2002

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[REDACTED] EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 08/19/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/238,163	SUMIYAMA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Madeleine AV Nguyen	2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 August 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.  The proposed amendment(s) will not be entered because:
  - (a)  they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b)  they raise the issue of new matter (see Note below);
  - (c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d)  they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.  The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: (see attachment).
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

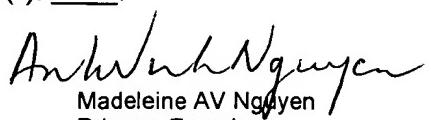
Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8.  The proposed drawing correction filed on \_\_\_\_\_ is a) approved or b) disapproved by the Examiner.
9.  Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10.  Other: \_\_\_\_\_

  
Madeleine AV Nguyen  
Primary Examiner  
Art. Unit: 2622

**DETAILED ACTION**

This communication is responsive to Response After Final Rejection filed on August 06, 2002.

***Response to Applicant's Remarks***

1. Applicant remarks that Hanamoto does not teach discarding image data stored in one memory while maintaining associated image forming conditions in a second memory, or the concept of saving some data while discarding others.

It is noted that the claims are rejected as being unpatentable over Hattori in view of Hanamoto. The claimed invention claims a first memory means for storing image data which can be discarded by a controller, and a second memory means for storing image forming conditions input from an operational panel, an output unit for outputting the image data stored in the first memory under the image forming conditions stored in the second memory. Hattori teaches the first memory means for storing image data which can be discarded by a controller, an operational panel for inputting image forming conditions, an image output for outputting the image data stored in the first memory under the image forming conditions input from the operational panel.

Hattori teaches all the claimed features except a second memory means for storing the image forming conditions input from the operational panel. Hanamoto is combined with Hattori since Hanamoto teaches an image forming apparatus (Fig. 1) with an operational panel (Fig. 2) for inputting image forming conditions and a memory (RAM 55, Fig. 3) for storing the image

forming conditions. Thus, since the operational panel and the memory for storing the image forming conditions does not require that the image forming apparatus is analog or digital, it can be combined with any image forming apparatus having an operational panel and a memory. For instance, although Hattori teaches a digital image forming apparatus and Hanamoto teaches an analog image forming apparatus, both of them teach an operational panel and memory for storing data. Since Hattori teaches RAM 53 having various memories for storing different kind of data, it would have been obvious to one skilled in the art at the time the invention was made to add the stored image forming conditions in RAM 55 in Hanamoto to RAM 53 in Hattori so that in case the user wants to print another document with the same image forming conditions, the user does not need to enter the same image forming conditions but using the conditions already stored in the RAM. Thus, there is no need to argue that the image forming apparatus is analog or digital in order to add the teaching of stored of image forming conditions in RAM 55 of Hanamoto's apparatus to RAM 53 of Hattori's image forming apparatus since RAM 53 in Hattori having various memories for storing a plurality of information. In other words, it does not matter the image forming apparatus in Hanamoto is analog or digital since RAM 53 in Hanamoto stores the image forming **conditions** of an image and not the image **data** of an image.

### *Conclusion*

2. Applicant's arguments filed on August 06, 2002 have been fully considered but they are not persuasive.
3. The final rejection is maintained.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.



AV

August 16, 2002

Madeleine AV Nguyen  
Primary Examiner  
Art Unit 2622